

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated July 2, 2008. Reconsideration and allowance of the application in view of the amendment made above and the remarks to follow are respectfully requested.

Claims 1-18 are pending in the Application. Claims 9-18 are added by this amendment. By means of the present amendment, claims 1-8 are amended including for better conformance to U.S. practice, such as changing "characterized in that" to --wherein--, amending dependent claims to begin with "The" as opposed to "A" and correcting informalities. By these amendments, claims 1-8 are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claims 1-3, 6 and 7 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 3,836,537 to Sastri ("Sastri") in view of U.S. Patent No. 5,776,615 to Wong ("Wong"). Claims 4-5 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over Sastri in view of Wong in further view of U.S. Patent No. 3,838,512 to Sanderson ("Sanderson"). Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly being obvious over Sastri in view of Wong in further view of U.S. Patent

No. 5,142,785 to Grewal ("Grewal"). It is respectfully submitted that claims 1-18 are allowable over Sastri in view of Wong alone and in view of any combination of Sanderson and Grewal for at least the following reasons.

In a Response to Arguments section of the Final Office Action, it is stated that with regard to the arguments previously submitted, they were found not persuasive "as there is no mention of achieved hardness in the language of claim 1. Claim 1 and claim 8 for that matter are amended herein to claim the achieved hardness.

It is respectfully submitted that the cutting member of claim 1 is not anticipated or made obvious by the teachings of Sastri in view of Wong. For example, Sastri in view of Wong does not disclose or suggest, a cutting member that amongst other patentable elements, comprises (illustrative emphasis added) "a portion of the substrate including the cutting edge being provided with a coating comprising carbon, characterized in that the coating comprises a plurality of stacked pairs of layers, each pair comprising a first layer mainly comprising carbon and a second layer mainly comprising a metal, and each pair having a thickness between 1 and 10 nm, and wherein the coating exceeds an average hardness which would be

provided by a coating of diamond-like carbon" as recited in claim 1 and as substantially recited in claim 8.

While Wong does show layers of a carbon nitride compound and a metal compound, it is respectfully submitted that Wong does not show a first layer mainly comprising carbon and a second layer mainly comprising a metal and that Wong is merely able to achieve a hardness that approaches the hardness of a diamond film (see Wong, col. 7, line 64 through col. 8, line 1) while the Applicants are able to achieve a coating that exceeds an average hardness which would be provided by a coating of diamond-like carbon (see, present application, page 5, lines 2-14) as recited in claims 1 and 8.

Each of Sanderson and Grewal are introduced for allegedly showing elements of the dependent claims and as such, do nothing to cure the deficiencies of Sastri in view of Wong.

Based on the foregoing, the Applicants respectfully submit that claims 1 and 8 are patentable over Sastri in view of Wong and notice to this effect is earnestly solicited. Claims 2-8 and 9-18 respectively depend from one of claims 1 and 8 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims.

For example, it is undisputed that "Sastri in view of Wong et al. does not disclose a layer of Cr and a layer of CrN between the substrate and the layered pairs." (See, Office Action, page 4, numbered paragraph 9.) Sanderson is cited to cure the deficiencies in Sastri in view of Wong however, it is respectfully submitted that reliance on Sanderson is misplaced. Sanderson shows outer coating/layers of chromium and a nitride to improve the shaving characteristics of the blade (see, col. 7, lines 4-7, 21-31 and 50-54). In any event, Sanderson is clear that the chromium and nitride layers are deposited as a discrete coating in addition to an underlying metal layer (see, col. 1, lines 13-23). Claim 4 recites in substantial part that the coating comprises an implanted layer of Cr that is implanted into the substrate. As should be clear, Sanderson does not show an implanted Cr layer nor does Sanderson show that the disclosed layer is positioned other than as an outer layer (e.g., not between the substrate and the pairs of other layers).

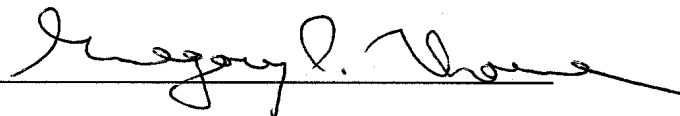
Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the

foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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